

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

BABAK BOGHRATY,

Plaintiff,

v.

TRUSTEES OF BOSTON UNIVERSITY,

Defendant.

Civil Action No. 1:24-cv-12045

PLAINTIFF’S MOTION FOR PRELIMINARY INJUNCTION

Plaintiff Babak Boghraty (“Boghraty” or “Plaintiff”), by his undersigned attorneys, moves the Court pursuant to Fed. R. Civ. P. 65 for an order granting immediate injunctive relief against Defendant Trustees of Boston University (“BU”). Boghraty submits his Verified Complaint herewith.

Boghraty seeks a preliminary injunction as a result of BU’s copyright infringement and breach of a Confidential Settlement and Release Agreement (the “Settlement Agreement”), an agreement in which BU covenanted not to use Boghraty’s proprietary course materials that he composed as the leading scholar and teacher of export controls, sanctions and Anti-Money Laundering (“AML”) compliance. In violation of Boghraty’s copyright and of those covenants, BU has been offering and is continuing to offer, a course that incorporates the very materials BU promised not to use, indeed, of which BU promised not even to keep copies. Worse yet, BU’s conduct is deliberate because it mirrors almost exactly the infringing conduct five years ago that made the Settlement Agreement necessary. After approaching Boghraty earlier this year to gauge his interest in teaching at BU, BU has responded to Boghraty declining to teach by copying his proprietary and copyrighted work word-for-word. BU’s copyright infringement and breach of the

Settlement Agreement are beyond any serious dispute. Boghraty suffers irreparable harm from the misuse of his scholarship that later damages will not remedy, and BU's willful violation of Boghraty's rights tips the balance of equities and the public interest lopsidedly in Boghraty's favor. For all these reasons, Boghraty respectfully requests that the Court enjoin BU from these ongoing wrongful acts.

WHEREFORE, Boghraty respectfully requests that the Court:

- A) Enter an Order enjoining BU pending trial from:
 - a. (i) using any information contained in any electronic or paper document in any format that refers to or is taken directly from the Courses, Proposed Course, Projects (as those terms are defined in and described in Exhibit A to the Settlement Agreement), Complaint, or Analysis as those terms are defined in the Settlement Agreement; and/or
 - b. (ii) offering any course or clinic that uses information taken directly from the Courses, Proposed Course, Projects (as those terms are defined in and described in Exhibit A to the Settlement Agreement), Complaint, or Analysis as those terms are defined in the Settlement Agreement; and/or
 - c. (iii) copying, distributing, displaying or otherwise using the copyright syllabus registered with the United States Copyright Office, Registration Number TX 9-411-615, or any other works or other materials that include, copy, are derived from, or otherwise embody the Syllabus in violation of Boghraty's exclusive rights under 17 U.S.C. § 106; and
- B) Award such other relief as is fair and just.

Dated: August 8, 2024

Respectfully submitted,

BABAK BOGHRATY

By his attorneys,

/s/ Nicholas M. O'Donnell

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